

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT CURTISS AND JENNIFER
CURTISS,

Plaintiffs,

v.

SN SERVICING CORPORATION, et al.,

Defendants,

No. 2:23-cv-2455 DB

ORDER

This civil action has been directly assigned to the undersigned pursuant to the Local Rules, Appendix A(m). On November 7, 2023, defendants filed a motion to dismiss and noticed the motion for hearing before the undersigned on December 15, 2023. (ECF No. 4.) Pursuant to Local Rule 230(c) plaintiffs' counsel was to file an opposition or a statement of non-opposition to defendants' motion not less "than fourteen (14) days after the motion was filed." Plaintiffs' counsel, however, has failed to file a timely opposition or statement of non-opposition to the motion.

The failure of a party to comply with the Local Rules or any order of the court "may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court." Local Rule 110. Failure to comply with applicable rules

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1 and law may be grounds for dismissal or any other sanction appropriate under the Local Rules.
2 Local Rule 183(a). Id.

3 In the interests of justice, the court will provide plaintiffs' counsel with an opportunity to
4 show good cause for their conduct along with a final opportunity to oppose defendants' motion.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Plaintiffs' counsel show cause in writing within fourteen days of the date of this order
7 as to why this case should not be dismissed for lack of prosecution and why plaintiffs' counsel
8 should not be sanctioned;

9 2. The December 15, 2023 hearing of defendants' motion to dismiss (ECF No. 4) is
10 continued to **Friday, February 2, 2024, at 10:00 a.m.**, at the United States District Court, 501 I
11 Street, Sacramento, California, in Courtroom No. 27, before the undersigned;

12 3. On or before **January 5, 2024**, plaintiffs shall file an opposition or statement of non-
13 opposition to defendants' motion;

14 4. Defendants may file a reply on or before **January 12, 2024**; and

15 5. Plaintiffs' counsel is cautioned that the failure to timely comply with this order may
16 result in the recommendation that this case be dismissed and/or the imposition of sanctions.

17 DATED: December 8, 2023

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE